

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**JANHAROY WILSON,
BENNY WILSON,
RAISHAUN LAMAR and
RAHMAN LAMAR,**

Defendants.

8:07CR426

ORDER

This matter is before the court on the motion for an extension of time by defendant Raishaun Lamar (Filing No. 29). Raishaun Lamar seeks an additional thirty days in which to file pretrial motions in accordance with the progression order (Filing No. 17). Raishaun Lamar's counsel represents that Raishaun Lamar will file an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Raishaun Lamar's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted. **The co-defendants shall be given such additional time to also file or supplement any pretrial motions.**

IT IS ORDERED:

Defendant Raishaun Lamar's motion for an extension of time (Filing No. 29) is granted. Raishaun Lamar and all co-defendants are given until **on or before January 11, 2008**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **December 11, 2007 and January 11, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 11th day of December, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge